

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RYANAIR DAC,

Plaintiff,

v.

BOOKING HOLDINGS INC.,  
BOOKING.COM B.V., KAYAK SOFTWARE  
CORPORATION, PRICELINE.COM LLC,  
and AGODA COMPANY PTE. LTD,

Defendants.

C.A. No. 20-01191-WCB

**PUBLIC REDACTED VERSION**

**DECLARATION OF ALEXANDRIA WELTERT IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

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Dated: December 20, 2023

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I, Alexandria Weltert, pursuant to 28 U.S.C. § 1746 hereby declare as follows:

1. I am over eighteen (18) years of age, of sound mind, and otherwise competent to make this Declaration. I am currently VP EMEA Commercial at KAYAK Software Corporation ("KAYAK"). Prior to that I was Senior Director, EMEA Commercial Partnerships since May 2019, and I have worked at KAYAK since May 2014. As a result, I have personal knowledge of the statements set forth in this declaration or I have learned the information provided herein from KAYAK data sources and knowledgeable KAYAK employees. I sat for a deposition in the above captioned action on September 29, 2023. If called as a witness, I could and would testify competently to the matters set forth herein.

2. KAYAK is a metasearch engine based in the United States that provides an online price comparison tool that permits consumers to search for and compare flights, accommodations, rental cars, and other travel services.

3. KAYAK does not book flights for its users.

4. In its metasearch, or “core” function of KAYAK, when users click on a flight that is displayed in response to a search, they leave KAYAK’s website and are redirected to the website of the third party offering the flight, generally either an online travel agent (“OTA”), a technology partner, or an airline.

5. KAYAK also has a feature called facilitated booking (or “Book on KAYAK”) whereby KAYAK users can book a flight offered by a third party, through that third party, but without leaving KAYAK’s website. [REDACTED]

[REDACTED] Even for facilitated booking purchases, KAYAK does not book the flight itself, the flight is booked entirely by a third party. The user is on KAYAK’s website, but the user is clearly informed that the flight booking is completed by another OTA and that their purchase is with that third party, not KAYAK. KAYAK does not take the customer’s payment and has nothing to do with making the actual booking. Ryanair flights have been booked through facilitated booking.

6. The option to “Book on KAYAK” is displayed in KAYAK’s metasearch results alongside the option to click out to a third party. Whether a user opts to book a flight through the facilitated booking feature or by clicking out to a third-party website depends entirely on the user.

7. The flight information that KAYAK is able to display on its platform in response to user searches comes from third parties, including OTAs, technology partners, and airlines.

[REDACTED]

[REDACTED]

[REDACTED]

8. KAYAK does not tell its OTA or technology partners whether or not to offer particular airlines, including Ryanair. KAYAK is not told the details of how the third parties that

return information about Ryanair in response to user searches get that information or how the third parties book Ryanair flights if a user selects that third party's flights. Even in facilitated booking transactions involving Ryanair, KAYAK has no visibility into how the third party makes the Ryanair booking or obtains information about available flights. KAYAK has never told its partners to access the Ryanair website or to make a myRyanair account to book a flight for a KAYAK user.

9. [REDACTED]

10. [REDACTED]

11. Nothing in KAYAK's standard terms mentions Ryanair or indicates that the third party should specifically obtain Ryanair's (or any other specific airline's) flight content.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 18th, 2023.

Alexandria Weltert  
Alexandria Weltert

**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2023, a true and correct copy of the foregoing document was caused to be served on the following counsel of record in the manner indicated.

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/s/ Jeffrey L. Moyer

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